

UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF WISCONSIN

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**CHAPTER 13 PLAN (Individual Adjustment of Debts)**

☐ Original Plan  
☐ Amended Plan (Indicate 1st, 2nd, etc. Amended, if applicable)  
☒ **3rd** Modified Plan (Indicate 1st, 2nd, etc. Modified, if applicable)

DEBTOR: **Terry W Bubb** JOINT DEBTOR: **Marion I Bubb** CASE NO.: **17-13567**  
SS#: **xxx-xx-9427** SS#: **xxx-xx-2347**

**I. NOTICES**

To Debtors: Plans that do not comply with local rules and judicial rulings may not be confirmable. All plans, amended plans and modified plans shall be served upon all creditors and a certificate of service filed with the Clerk pursuant to Local Rules 3015-1, 3015-2, and 3015-3.

To Creditors: Your rights may be affected by this plan. You must file a timely proof of claim in order to be paid. Your claim may be reduced, modified or eliminated.

To All Parties: The plan contains no nonstandard provisions other than those set out in paragraph VIII. Debtor(s) must check one box on each line listed below in this section to state whether the plan includes any of the following:

The valuation of a secured claim, set out in Section III, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section III	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
Nonstandard provisions, set out in Section VIII	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included

TO ALL PARTIES:

Unless otherwise provided for in this plan, the Trustee shall disburse payments in the following order: administrative expenses including trustee and attorney fees, secured claims, priority claims, general unsecured claims.

**II. PLAN PAYMENTS, LENGTH OF PLAN AND DEBTOR(S)' ATTORNEY'S FEE**

A. **MONTHLY PLAN PAYMENT:** This Plan pays for the benefit of the creditors the amounts listed below, including trustee's fees beginning 30 days from the filing/conversion date. Debtor(s) will make payments by employer wage order, unless otherwise specified herein. The payments must be made for the Applicable Commitment Period, either 36 or 60 months, or for a shorter period that is sufficient to pay allowed nonpriority unsecured claims in full.

1. **\$21,000 previously paid or to be paid.**

2. **\$ 2,160 to be paid in October 2020.**

3. **\$ 1,160 for 23 months starting in November 2020**

The total amount of estimated payments to the trustee: **\$49,840.00**

B. **DEBTOR(S)' ATTORNEY'S FEE:** ☐ NONE ☐ PRO BONO

Total Fees: <b>\$500.00</b>	Total Paid: <b>\$0.00</b>	Balance Due: <b>\$500.00</b>
Payable <b>prorate</b>	/month (Months <b>1</b> to <b>1</b> )	

**III. TREATMENT OF SECURED CLAIMS**

A. **SECURED CLAIMS:** ☐ NONE

[Retain Liens pursuant to 11 U.S.C. §1325(a)(5)] Mortgage(s)/Lien on Real or Personal Property:

1	Creditor: <b>WHEDA</b>	
	Address: <b>201 Washington Avenue; Suite 700; Madison, WI 53703</b>	Arrearage/Payoff on Petition Date <b>14,873.48</b> Arrears Payment (Cure) <b>PRORATE</b>
	Regular Payment (Direct)	<b>652.83 /month</b>

Debtor(s): **Terry W Bubb**  
**Marion I Bubb** Case number: **17-13567**

Account No.:	<b>Account No:</b> <u>xxxxxx6342</u>		
Other: _____			
<input checked="" type="checkbox"/> Real Property <input checked="" type="checkbox"/> Principal Residence <input type="checkbox"/> Other Real Property		Check one below for Real Property: <input type="checkbox"/> Escrow is included in the regular payments <input type="checkbox"/> The debtor(s) will pay <input type="checkbox"/> taxes <input type="checkbox"/> insurance directly	
Address of Collateral: <b>Homestead legally described as: Part of the Northwest Quarter at the Northeast Quarter (NW 1/4 of NE 1/4) lying Northeast of Grand Avenue, Section Twenty-two (22), Township Forty-eight (48), Range Thirteen (13), Town of Parkland, Douglas Co</b>			
<input type="checkbox"/> Personal Property/Vehicle Description of Collateral: _____			

  

<b>2</b>	Creditor: <b>WHEDA</b> Address: <b>201 Washington Avenue; Suite 700; Madison, WI 53703</b>	Supplemental Arrearage <b>2,083.97</b>	
		Arrears Payment (Cure)	<u>PRORATE</u>
Account No.: _____			
Other: _____			
<input checked="" type="checkbox"/> Real Property <input checked="" type="checkbox"/> Principal Residence <input type="checkbox"/> Other Real Property		Check one below for Real Property: <input type="checkbox"/> Escrow is included in the regular payments <input type="checkbox"/> The debtor(s) will pay <input type="checkbox"/> taxes <input type="checkbox"/> insurance directly	
Address of Collateral: _____			
<input type="checkbox"/> Personal Property/Vehicle Description of Collateral: <b>Homestead legally described as: Part of the Northwest Quarter at the Northeast Quarter (NW 1/4 of NE 1/4) lying Northeast of Grand Avenue, Section Twenty-two (22), Township Forty-eight (48), Range Thirteen (13), Town of Parkland, Douglas Co</b>			

**B. VALUATION OF COLLATERAL:** ☒ NONE

IF YOU ARE A SECURED CREDITOR LISTED BELOW, THE PLAN SEEKS TO VALUE THE COLLATERAL SECURING YOUR CLAIM IN THE AMOUNT INDICATED, A SEPARATE MOTION WILL ALSO BE SERVED UPON YOU PURSUANT TO BR 7004 AND LR 3015-1.

**C. LIEN AVOIDANCE** ☒ NONE

**D. SURRENDER OF COLLATERAL:** Secured claims filed by any creditor granted stay relief in this section shall ot receive a distribution from the Chapter 13 Trustee.

☒ NONE

☐ The debtor(s) elect to surrender to each secured creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the automatic stay be terminated in rem as to the debtor(s) and in rem and in personam as to any codebtor(s) as to these creditors.

☐ Other:

**E. DIRECT PAYMENTS:**

☐ NONE

☒ The debtor(s) elect to make current payments directly to each secured creditor listed below. Nothing herein is intended to terminate or abrogate the debtor(s)' state law contract rights.

Name of Creditor	Account No.	Description of Collateral (Address, Vehicle, etc.)
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Debtor(s): **Terry W Bubb**

**Marion I Bubb** Case number: **17-13567**

Name of Creditor	Account No.	Description of Collateral (Address, Vehicle, etc.)
1. <b>WHEDA</b>	<b>xxxxxx6342</b>	<b>Homestead legally described as: Part of the Northwest Quarter at the Northeast Quarter (NW 1/4 of NE 1/4) lying Northeast of Grand Avenue, Section Twenty-two (22), Township Forty-eight (48), Range Thirteen (13), Town of Parkland, Douglas Co</b>

**IV. TREATMENT OF FEES AND PRIORITY CLAIMS** [as defined in 11 U.S.C. §507 and 11 U.S.C. §1322(a)(4)]

**A. ADMINISTRATIVE FEES OTHER THAN DEBTORS(S)' ATTORNEY'S FEE:** ☒ NONE

**B. PRIORITY TAX CLAIMS:** ☒ NONE

**C. DOMESTIC SUPPORT OBLIGATION(S):** ☒ NONE ☐ CURRENT AND PAID OUTSIDE

**D. OTHER:** ☒ NONE

**V. TREATMENT OF UNSECURED NONPRIORITY CREDITORS**

**A. Pay** **PRORATE** /month

Pro rata dividend will be calculated by the Trustee upon review of filed claims after bar date.

**B.** ☒ If checked, the Debtor(s) will amend/modify to pay 100% to all allowed unsecured nonpriority claims.

**C. SEPARATELY CLASSIFIED:** ☒ NONE

**VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES:** Secured claims filed by any creditor/lessor granted stay relief in this section shall not receive a distribution from the Chapter 13 Trustee.

☒ NONE

**VII. INCOME TAX RETURNS AND REFUNDS:** ☒ NONE

**VIII. NON-STANDARD PLAN PROVISIONS:** ☐ NONE

☒ Nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Local Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

**CLAIM OF JOHN JONES CONSTRUCTION PAID DIRECTLY.**

☐ Mortgage Modification Mediation

**PROPERTY OF THE ESTATE WILL VEST IN THE DEBTOR(S) UPON PLAN CONFIRMATION.**

I declare that the foregoing chapter 13 plan is true and correct under penalty of perjury.

<u>/s/ Terry W Bubb</u>	Debtor	<u>September 28, 2020</u>	<u>/s/ Marion I Bubb</u>	Joint Debtor	<u>September 28, 2020</u>
<u>Terry W Bubb</u>		Date	<u>Marion I Bubb</u>		Date
<u>/s/ John F. Hedtke</u>			<u>September 28, 2020</u>		
<u>John F. Hedtke</u>			Date		
Attorney with permission to sign on Debtor(s)' behalf					

By filing this document, the Attorney for Debtor(s) or Debtor(s), if not represented by counsel, certifies that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Local Form Chapter 13 Plan and the plan contains no nonstandard provisions other than those set out in paragraph VIII.

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

In re: **Terry W Bubb**  
**Marion I Bubb**

Chapter 13

Case No.: **17-13567**

**REQUEST TO MODIFY CONFIRMED CHAPTER 13 PLAN**

1. The person requesting this plan modification is:

☒ The Debtor;

☐ The Chapter 13 Trustee;

☐ The holder of an unsecured claim Name: \_\_\_\_\_

2. Service: A certificate of service must be filed with this request for plan modification, together with the modified Wisconsin Local Form 3015-1.1

3. Designate one of the following:

☒ A copy of this proposed modification has been served on the parties (the debtor, the trustee, the United States Trustee and all creditors) as required by Fed. R. Bank. P. 3015(g); or

☐ A motion requesting limited service is being filed simultaneously with the Court.

4. I request the following modification of the Chapter 13 Plan last confirmed by the Court:

- a. Provide for an initial \$2,160 payment and then increase the Plan payment to \$1,160 per month for the duration of the Plan term.
- b. Pay 100% to all allowed unsecured timely filed nonpriority claims and eliminated lump sum payment from inheritance.
- c. Updated the payment to John Jones Construction.
- d. Pay Debtors' attorney \$500 in additional fees.

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN**

**In Re: Terry and Marion Bubb**

**Bankruptcy Case No.: 17-13567  
Chapter 13**

**Debtor(s).**

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**NOTICE OF FILING OF MODIFIED CHAPTER 13 PLAN**

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**TO: The Chapter 13 Trustee, The U.S. Trustee, and the Creditors and Parties in interest listed on the Certificate of Service.**

The Debtors have filed by and through their undersigned attorney a 3<sup>rd</sup> Modified Chapter 13 Plan.

**PLEASE TAKE NOTICE** that you must object to the 3<sup>rd</sup> Modified Plan and request a hearing **on or before October 20, 2020**, if you do not want the 3<sup>rd</sup> Modified Plan to be confirmed. Any objection and request for hearing must be filed with the Court and served on the undersigned attorney. If no objection and request for hearing is filed, the Court may confirm the Modified Plan without a hearing.

Dated this 29th day of September 2020.

/s/John F. Hedtke  
John F. Hedtke, #167666  
Attorney for Debtor(s)  
1217 East First Street  
Duluth, Minnesota 55805  
(218) 728-1993

**The Court's Address is:**  
US Bankruptcy Court  
500 South Barstow Street  
Eau Claire, WI 54702

**United States Bankruptcy Court  
Western District of Wisconsin**

In re **Terry W Bubb  
Marion I Bubb**

Debtor(s)

Case No. **17-13567**  
Chapter **13**

**PROOF OF SERVICE BY MAIL**

On September 29, 2020, I served the Notice of Filing of Modified Plan, Request to Modify Confirmed Plan and Modified Plan on the parties listed below, by placing true and correct copies thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at **Duluth, MN** addressed as follows:

**Capital One Bank  
1680 Capital One Dr  
Mc Lean, VA 22102-3407**

**Check N Go Of Wisconsin, Inc.  
1708 Belknap St  
Superior, WI 54880-2530**

**Check'n Go  
100 Commercial Dr  
Fairfield, OH 45014-5556**

**Codilis, Moody & Circelli, PC  
Matt Comella  
10437 Innovation Drive  
Suite 253  
Milwaukee, WI 53226**

**John Jones Construction  
2118 Pennsylvania Avenue  
Superior, WI 54880**

**LVNV Funding  
3033 Campus Drive  
Suite 250  
Minneapolis, MN 55441**

**Messerli & Kramer  
3033 Campus Dr Ste 250  
Plymouth, MN 55441-2662**

**Sams Club  
Discover  
PO Box 960013  
Orlando, FL 32896-0013**

**Speedy Cash  
PO 780408  
Wichita, KS 67278**

**Speedy Loan  
1624 Tower Ave  
Superior, WI 54880-2534**

**Till, Salzer & Blank, Ltd.  
Theodore Salzer  
1225 Tower Ave Ste 318  
Superior, WI 54880-1545**

**USA Cash Services  
1024 Belknap St  
Superior, WI 54880-2810**

**USA Cash Services  
1752 Combe Rd Ste 1  
Ogden, UT 84403-5069**

**WHEDA  
201 Washington Avenue  
Suite 700**

**Madison, WI 53703**

**WHEDA**

**201 Washington Avenue**

**Suite 700**

**Madison, WI 53703**

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on September 29, 2020.

**/s/ John F. Hedtke**

**Signature**